

PROBATE NOTES: Friday, September 23, 2016

These notes are not updated based on subsequent filings once they are posted.

PR10041 Conservatorship of Christopher Lott

Hearing type: Further review re fifth biennial accounting
Conservator: Sherry Lott
Conservator's counsel: Bradley Young

By order dated July 22, 2016, Jennifer J. Lothert from the firm of Young Ward & Lothert obtained a continuance of the review hearing for the fifth biennial accounting, as the firm had not received from the conservator until July 13, 2016, the financial information needed to prepare the accounting. As of September 20, 2016, the accounting still had not been filed. Appearance required if it is not filed prior to the hearing.

PR10155 Conservatorship of Kathy L. Barchus

Hearing type: Further hearing re fifth biennial account and report of conservator;
 petition for fees
Conservator: Tuolumne County Public Guardian
Conservator's counsel: County Counsel

The Court has reviewed Kimberly Brown's declaration filed on September 15, 2016, in support of the fifth biennial account and report that was filed on August 16, 2016, and originally heard on September 2, 2016. The only remaining issue before the petition can be recommended for approval is the lack of proof of service of the account and report on the conservatee's husband, which also was noted in the probate notes for the September 2, 2016, hearing and at the hearing itself. Once this issue is addressed, the review hearing re the sixth biennial accounting can be set for August 31, 2018, at 8:30 a.m.

PR11238 Estate of Christy A. Toro

Hearing type: Further hearing re first and final report of executor; petition for final
 distribution, compensation, and reimbursement
Executor: Diane Lee Brown
Executor's counsel: Jeffery D. Trowbridge

This matter was continued from September 16, 2016, in order to allow the executor time to file the agreement required by local rule 5.18.0(i) in connection with the report and petition filed on July 29, 2016. As of September 20, 2016, the agreement still had not been filed. Appearance required if it is not filed prior to the hearing.

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PR11229 Estate of Herbert Levin

Hearing type: Petition for final distribution and compensation
Executor: Robert M. Kramer
Executor's counsel: James A. Gianelli

The Court has reviewed the petition filed on August 18, 2016. The petition is recommended for approval. Appearance not required.

PR11245 In the Matter of William C. Miller Revocable 2008 Trust

Hearing types: (1) Further review re former trustee's accounting
 (2) Further hearing re order to show cause re sanctions
Former trustee: Mark Miller
Former trustee's counsel: Jennifer J. Lothert

As of September 20, 2016, the accounting still had not been filed. Appearance required.

PR11313 Estate of Margaret E. Cunha

Hearing type: Review re inventory and appraisal
Administrator: Gregory Cunha
Administrator's counsel: Gary P. Dambacher

The Court has reviewed the Inventory and Appraisal form filed on September 13, 2016, which is titled "Partial No. One" and reflects that it contains only a portion of the estate that has come to the administrator's knowledge or possession. Pursuant to Probate Code section 8800, subdivision (c), all inventories and appraisals shall be filed within four months after letters are issued to the personal representative, except where further time is allowed by the Court. The four-month period following issuance of letters will expire on September 27, 2016. Appearance required if all of the estate will not have been inventoried and appraised, with the proper form(s) filed and noticed as required by statute, by September 27, 2016.

PR11317 Estate of Peggy Joan Johnstone

Hearing type: Review re inventory and appraisal
Executor: Lynn Towns
Executor's counsel: William J. Coffill

The Court has reviewed the Inventory Appraisal forms filed on July 20, 2016. The executor did not complete item 5 as required by Probate Code section 8800, subdivision (d).

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PR11328 LPS Conservatorship

Hearing type: First and final account and report of temporary conservator; petition for fees and discharge
Conservator: Tuolumne County Public Guardian
Conservator's counsel: County Counsel

The Court has reviewed the account and petition filed on August 31, 2016. The petition is recommended for approval. Appearance not required. A review hearing re discharge will be set for November 4, 2016, at 8:30 a.m.

PR11349 Estate of Helen Louise Smith

Hearing type: Second amended petition for probate of will and letters of administration with will annexed and for letters of administration
Petitioner: Gregory Smith
Petitioner's counsel: Gary P. Dambacher

Appearance required.

PR11353 Estate of Mary Lynne Chandler

Hearing type: Petition for probate of will and letters testamentary
Petitioner: Keith James Kruetzfeldt
Petitioner's counsel: James A. Gianelli

The Court has reviewed the petition filed on August 18, 2016. The petition omits multiple persons required to be listed at item 8, including the decedent's former spouse and other son, both of whom are mentioned in the will (see instructions for item 8, as well as local rule 5.13.0, subdivision (a)), and, if local news reports are correct, the spouse decedent had at the time of her death. The omission of these persons makes notice of the instant petition deficient. The pending guardianship case involving two of the decedent's grandchildren also affects notice requirements. (See local rule 5.13.0, subd. (g).)

PR11355 Estate of June M. Kristapovich

Hearing type: Petition for probate of will and letters testamentary
Petitioner: Greg Kristapovich
Petitioner's counsel: None

The Court has reviewed the petition filed on August 22, 2016. The petitioner has failed to file form DE-147. In addition, the proof of service of the Notice of Petition to Administer Estate is

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defective because it is missing page 1, and there is no attachment, even though the box for an attachment has been checked.

PR9868 Conservatorship of Mary E. Brown

Hearing types:

- (1) Petition for approval of second amended fourth and final account and report of successor conservator and for related relief
- (2) Petition for approval of second amended account and report of successor conservator for period following conservatee's death and for related relief

Conservator: Daniel Brown

Conservator's counsel: Michael R. Germain

The Court has reviewed the petitions, accounts, and supporting documents filed on September 8, 2016. The petitions are recommended for approval. Appearance not required.

PR9919 Conservatorship of Margaret Villasenor

Hearing type:	Review re payments
Conservator of estate:	Martha Stayer
Conservator's counsel:	None

Appearance required.

PR11077 Conservatorship of Anthony Allen Miller

Hearing type: Review re court investigator's report (Prob. Code, § 1850)
 Conservators: Kenneth and Michelle Schneider
 Conservators' counsel: None

The Court has reviewed the report filed on August 22, 2016, as well as the conservatee's death certificate. The conservatorship terminated by operation of law on March 20, 2016.

PR10831 Guardianship of Aydan Porter

Hearing type: Further review re Confidential Guardianship Status Report
Guardian: Tiffany Dobbs
Guardian's counsel: None

The Court has reviewed the report filed on September 15, 2016. Appearance not required. A review hearing re the next annual Confidential Guardianship Status Report will be set for September 22, 2017, at 8:30 a.m.

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PR10864 Guardianship of Emberlynn Payne

Hearing type: Review re Confidential Guardianship Status Report
Guardian: Jennifer Herbst
Guardian's counsel: None

The Court has reviewed the report filed on September 13, 2016. Appearance not required. A review hearing re the next annual Confidential Guardianship Status Report will be set for September 22, 2017, at 8:30 a.m.

PR10974 Guardianship of Bella Joy Main

Hearing type: Review re Confidential Guardianship Status Report
Guardians: Kenneth and Lisa Main
Guardians' counsel: None

The Court has reviewed the report filed on August 17, 2016. Appearance not required. A review hearing re the next annual Confidential Guardianship Status Report will be set for September 22, 2017, at 8:30 a.m.

PR11208 Guardianship of Trinity R. Martinez

Hearing type: Review re Confidential Guardianship Status Report
Guardian: Aaron Hagerman
Guardian's counsel: None

As of September 20, 2016, the report had not been filed. Appearance required if it is not filed prior to the hearing.